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MEMO ENDORSED

December 18, 2007

VIA FACSIMILE

Honorable Charles L. Brieant
United States District Judge
United States District Court for the
Southern District of New York
300 Quarropas Street
White Plains, New York 10601-4150

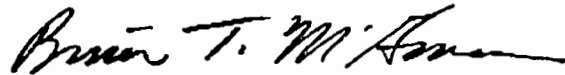
Re: John E. Andrus Memorial, Inc. (d/b/a Andrus on Hudson) v. Daines
07-CV-3432 (CLB) (KNF)

Dear Judge Brieant:

As the Court is aware, we represent the plaintiff John E. Andrus Memorial, Inc. (d/b/a Andrus on Hudson) in the above-referenced action. I write to advise the Court that defendant's attorney, John Gasior, has advised that his client does not object to a continuation of the stay currently in effect pending the outcome of the motion for leave to appeal to the New York State Court of Appeals in St. Joseph Hospital of Cheektowaga v. Novello.

Please let us know if the Court requires additional information or a conference with Your Honor.

Respectfully,



Brian T. McGovern

BTM:cr

cc: John P. Gasior, Esq. (via facsimile)

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